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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,343	12/28/2001	Devinne H. Brown	2000-0424	5496

7590

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EXAMINER

TAYLOR, BARRY W

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/029,343	<b>Applicant(s)</b> BROWN ET AL.	
	<b>Examiner</b> Barry W Taylor	<b>Art Unit</b> 2643	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2004.  
2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 13-18 is/are allowed.  
6) ☒ Claim(s) 1 and 3-7 is/are rejected.  
7) ☒ Claim(s) 2 and 8-12 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 07 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al (6,754,323 hereinafter Chang) in view of Balaz (6,427,008).

Regarding claim 1. Chang teaches a method for billing for services in a communication network, comprising:

bridging at a service node (see service node 120 figure 1) within the network a first call made by a calling party (see 105 figure 1) with a second call established to a

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called party (see called party 106 or 107 or 108 or 115 figure 1) to create a bridged call (see conference bridge 130 top right figure 1);

processing the bridged call in accordance with signaling information associated therewith to create a processed call (see service node control processor 125 figure 1, abstract, col. 4 lines 57-64, col. 5 lines 11-45, col. 7 lines 22-46, col. 11 lines 7-17).

Chang does not explicitly show creating billing module at the service node (120 figure 1).

Balaz also teaches methods and devices for billing teleconferences (title and abstract) that calculates billing information for a plurality of participants in teleconference call wherein some participants may pay more than others. Balaz provides service node (see 10 figure 1) that provides bridging (see 14 figure 1) as well as calculating billing information by using billing device (12 figure 1). Balaz discloses that the billing device (12 figure 1) stores database engine software, that, when executing, is capable of reading, writing and updating database 16 figure 1. Balaz discloses that billing device (12 figure 1) and database (16 figure 1) may be located together or remote from each other (col. 4 lines 12-13). Balaz discloses using link to identify a table within database 16 enabling for information relevant to a particular call to be stored (col. 4 line 53 – col. 5 line 4).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the service node (i.e. 120 figure 1) as taught by Chang to incorporate the billing device (i.e. 12 figure 1) as taught by Balaz for the benefit of charging each participant in conference call.

2. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al (6,754,323 hereinafter Chang) in view of Balaz (6,427,008) further in view of Pershan (Pub. No.: US 2002/0034290).

Regarding claims 3-7. Chang in view of Balaz fail to show using trigger for call transfer feature.

Pershan teaches AIN based call routing, transfer and conferencing (Title, abstract). Pershan discloses using "mid-call" AIN triggers in some embodiments to support call transfer (last three lines of abstract, paragraphs 0016, 0036, 0085 and 0098).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the conferencing invention as taught by Chang in view of Balaz to further uses AIN "mid-call" triggers as taught by Pershan for the benefit of expanding AIN conferencing as taught by Chang in view of Balaz to incorporate call transfer as taught by Pershan.

***Allowable Subject Matter***

3. Claims 13-18 are allowed.

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4. Claims 2 and 8-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

5. Applicant's arguments filed 11/17/04 have been fully considered but they are not persuasive.

a) Regarding Applicant's remarks starting on page 6 and continuing to page 10, paper dated 11/17/04 wherein Applicant's contend, "the processed call is then merged into a service switching point to allow the service node to use its resources to process other calls requiring services. In addition to the merged processed call, the billing module created by the service node is also sent to the service switching point for ultimate receipt by a billing system."

The Examiner notes that independent claim 1 is extremely silent with respect to service switching point being involved. In fact, independent claim 1 only requires "another node".

Balaz also teaches methods and devices for billing teleconferences (title and abstract) that calculates billing information for a plurality of participants in teleconference call wherein some participants may pay more than others. Balaz provides service node (see 10 figure 1) that provides bridging (see 14 figure 1) as well as calculating billing information by using billing device (12 figure 1). Balaz discloses

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that the billing device (12 figure 1) stores database engine software, that, when executing, is capable of reading, writing and updating database 16 figure 1. **Balaz discloses that billing device (12 figure 1) and database (16 figure 1) may be located together or remote from each other (col. 4 lines 12-13).** Balaz discloses using link to identify a table within database 16 enabling for information relevant to a particular call to be stored (col. 4 line 53 – col. 5 line 4).

### ***Conclusion***

**6. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor, telephone number (571) 272-7509, who is available Monday-Friday, 8am to 5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached at (571) 272-7499. The facsimile phone number for this group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (571) 272-2600, the 2600 Customer Service telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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